

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN BAUER,

Plaintiff,

v.

AMPHENOL CORPORATION,

Defendant.

No. C-04-2259 MMC

**ORDER DENYING JOINT  
ADMINISTRATIVE MOTION TO FILE  
DOCUMENTS UNDER SEAL**

(Docket No. 39)

Before the Court is the parties' joint administrative motion to file under seal a "Confidential Stipulation for Approval of Settlement of Commission Claim and Dismissal of Action Pursuant to Settlement" ("stipulation") and the declaration of John Bauer in support thereof ("Bauer Declaration"). The parties have failed to show good cause for a sealing order.<sup>1</sup> Pursuant to Civil Local Rule 79-5, "[a] sealing order may issue only upon a request that establishes that the document, or portions thereof, is privileged or protectable as a trade secret or otherwise entitled to protection under the law[.]" See Civil L.R. 79-5(a). As the parties have failed to establish such good cause, their joint administrative motion to file

<sup>1</sup> Additionally, the parties fail to submit any legal authority for the requested approval of their settlement. On a motion for approval of a good faith settlement, the Court does not determine whether the settlement is reasonable "between the settling parties," but rather "vis-a-vis the non-settling defendants." See Horton v. Superior Court, 194 Cal. App. 3d 727, 733 (1987) (discussing Cal. Code Civ. Proc. § 877.6). Here, there are no non-settling defendants.


1 the above-referenced documents under seal is hereby DENIED.

2 Pursuant to Civil L.R. 79-5(e), the above-referenced documents will not be filed.  
3 Rather, the Clerk will hold the lodged documents for three days to afford the submitting  
4 party the opportunity to retrieve them; if the submitting party fails to do so, the Clerk shall  
5 dispose of said documents. See Civil L.R. 79-5(e).

6 This order terminates Docket No. 39.

7 **IT IS SO ORDERED.**

8 Dated: March 14, 2006

  
MAXINE M. CHESNEY  
United States District Judge